



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 039-026, HORN HARBOR

EFFECTIVE 3 MAY 2006

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14.4.1, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 039-026, Horn Harbor," effective 1 February 2005, is cancelled effective 3 May 2006.
2. Condemned Shellfish Area Number 039-026, shown as Sections A and B, is established, effective 3 May 2006. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Horn Harbor, Condemned Shellfish Area Number 039-026, 3 May 2006" which is part of this notice.
3. The seasonal shellfish condemnation area defined as area number 039-026, shown as Section M1, is hereby established, effective 3 May 2006, for the period May 3, 2006, through October 31, 2006, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm, or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of this area are shown on the map titled "Horn Harbor, Condemned Shellfish Area Number 039-026, 3 May 2006" which is a part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 039-026

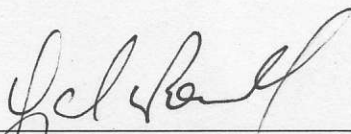
- A. The condemned area shall include that portion of Horn Harbor and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°22'04.6", -76°18'08.0") and map coordinate (37°22'02.8", -76°18'00.8").

VDH VIRGINIA
DEPARTMENT
OF HEALTH
Protecting You and Your Environment

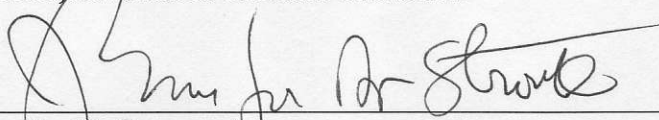
www.vdh.virginia.gov/shellfish

- B. The condemned area shall include that portion of Doctors Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°21'01.3", -76°16'40.2") and map coordinate (37°21'00.2", -76°16'35.6").
- M1. The seasonally condemned area shall include that portion of Horn Harbor lying upstream of a line drawn between latitude/longitude map coordinate (37°22'04.6", -76°18'08.0") and map coordinate (37°21'54.1", -76°17'55.7"), but excluding the area defined as Section A.

Recommended by:


for Director, Division of Shellfish Sanitation

Ordered by:


State Health Commissioner

4/18/06
Date

**Virginia Department of Health
Horn Harbor
Condemned Shellfish Area 039-026
3 May 2006**

